

Municipal Clerk  
Atlanta, Georgia

02- 0-0873

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-02-35

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1366 Memorial Drive** be changed from the R-4A (Single Family Residential) District, to the C-1 (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 208 of the 15<sup>th</sup> District, Dekalb County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

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# SELLER(S) AFFIDAVIT

STATE OF  
COUNTY OF

THE UNDERSIGNED(S) being first duly sworn depose(s) and say(s):

1. That (s)/he/they is/are the owner(s) of that certain real estate located in the County of DEKALB, State of Georgia, to-wit:

ALL THAT LOT OF LAND LYING AND BEING IN LAND LOT 208 OF THE 15TH LAND DISTRICT OF DEKALB COUNTY, GEORGIA BEING THAT CERTAIN LOT, PRESENTLY OWNED BY GRANTOR, WHICH IS LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF MEMORIAL DRIVE (FORMERLY FAIR STREET) AND WHITEFORD STREET (FORMERLY BELL STREET), SAID LOT HAVING DIMENSIONS OF APPROXIMATELY 190 FEET, MORE OR LESS, ON ITS NORTHERN AND SOUTHERN BOUNDARIES AND 50 FEET, MORE OR LESS, ON ITS EASTERN AND WESTERN BOUNDARIES, BEING THE SAME PROPERTY WHICH DR. T. M. MCINTOSH PURCHASED FROM MRS. M.G. BRILEY BY DEED DATED MAY 9, 1928, RECORDED IN DEED BOOK 281, PAGES 294 AND 295, CLERK'S OFFICE, DEKALB SUPERIOR COURT.

2. That they are in exclusive, full complete and undisputed possession of said property and that there are no leases, options, claims, unpaid taxes or interest of any kind held thereon, by any other party except:

None

3. That no labor has been performed upon nor any materials furnished to said property for which laborers or materialmen have any right of lien; that there are no mechanics, materialman's or laborer's liens against the above described property.

4. That personal property located on the premises above described is also free of all liens, claims and encumbrances; that sales tax laws now in effect have been complied with in connection with any operation on said premises.

5. That there are no encroachments of buildings, fences or other improvements on the above described property, nor do any buildings, fences or other improvements located on said property encroach on abutting property.

6. That this affidavit is made for the purpose of inducing YOLANDA WILLIAMS FAVORS P.C. to issue title insurance to ELOSHUA ELLIOTT and ALFRED WITTINGHAM

WITNESSES

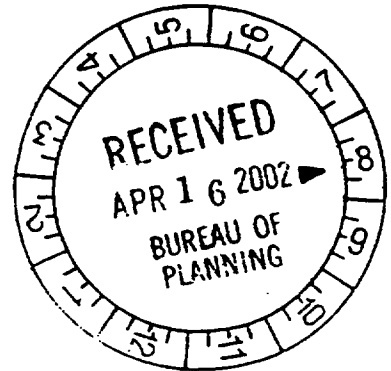
  
JAMES A. WINGFIELD

COUNTY OF  
STATE OF

I HEREBY CERTIFY that on this      day of      , 20      , before me, an officer duly qualified to take acknowledgements, personally appeared: JAMES A. WINGFIELD to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

NOTARY PUBLIC  
COMMISSION EXPIRATION:

Prepared by  
YOLANDA WILLIAMS FAVORS P.C.



2-02-35